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S/N 10/516,770

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PULLA

Serial No.: 10/516,770

Filed: December 3, 2004 Docket No.: 13102.0013USWO

Title: PROCESS FOR THE PREPARATION OF 4-(4-FLUOROBENZOYL)  
BUTYRIC ACID

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 June 22, 2005.

By:   
Name: Antonette Peters

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed October 10, 2003.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the International Search Report.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.



Respectfully submitted,

MERCHANT & GOULD P.C.  
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Minneapolis, Minnesota 55402-0903  
(612) 332-5300

By   
Brian H. Batzli  
Reg. No. 32,960

Dated: June 22, 2005

BHB/acp

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|--|--|--|----------------------------------|-----------------------------------|
| <b>FORM 1449*</b><br><b>INFORMATION DISCLOSURE STATEMENT</b> |  |  | Docket Number:<br>13102.0013USWO | Application Number:<br>10/516,770 |
| IN AN APPLICATION<br>(Use several sheets if necessary)       |  |  | Applicant: PULLA                 |                                   |
|  |  |  | Filing Date: December 3, 2004    | Group Art Unit: Unknown           |

| <b>U.S. PATENT DOCUMENTS</b> |              |         |                      |       |          |                            |
|------------------------------|--------------|---------|----------------------|-------|----------|----------------------------|
| EXAMINER INITIAL             | DOCUMENT NO. | DATE    | NAME                 | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|                              | US 6,207,822 | 03/2001 | Thiruvengadam et al. |       |          |                            |
|                              |              |         |                      |       |          |                            |
|                              |              |         |                      |       |          |                            |
|                              |              |         |                      |       |          |                            |
|                              |              |         |                      |       |          |                            |

  

| <b>FOREIGN PATENT DOCUMENTS</b> |                |         |         |       |          |             |
|---------------------------------|----------------|---------|---------|-------|----------|-------------|
|                                 | DOCUMENT NO.   | DATE    | COUNTRY | CLASS | SUBCLASS | TRANSLATION |
|                                 |                |         |         |       |          | YES         |
|                                 | WO 00/34240    | 06/2000 | WIPO    |       |          |             |
|                                 | WO 01/38305 A2 | 05/2001 | WIPO    |       | Abstract |             |
|                                 |                |         |         |       |          |             |
|                                 |                |         |         |       |          |             |

  

| <b>OTHER DOCUMENTS</b> (Including Author, Title, Date, Pertinent Pages, Etc.) |  |  |  |  |  |  |
|---|--|--|--|--|--|--|
|   |  | Baens et al. "Synthesis of 2, 5-Substituted Piperidines: Transposition of 1, 4-Substitution Pattern for the Analgesic Drug R6582." <i>Tetrahedron</i> . Vol. 49, No. 15, pp. 3193-3202. XP 002022790 |  |  |  |  |
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PATENT TRADEMARK OFFICE

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| EXAMINER  | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. |                 |